

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

D/E

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AMERICAN TRANSPORTATION GROUP,
as agent for MONTEMAR MARITIMA USA,
INC.,

Plaintiff,

v.

ORDER
03 CV 3721 (NGG) (CLP)

STONE WHOLESALERS, LLC,

Defendant.

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GARAUFIS, United States District Judge.

On December 23, 2004, this court granted Plaintiff's motion for default judgment against Defendant Stone Wholesalers, LLC, and subsequently referred Plaintiffs' motion for damages and disbursements to Magistrate Judge Cheryl L. Pollak. On March 16, 2005, Judge Pollak issued a Report and Recommendation (R&R) recommending that Plaintiffs be awarded \$7,991.00 in damages and \$175.00 in disbursements, for a total of \$8,166.00. No party has filed objections to the R&R.

In reviewing an R&R, this court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1)(C). In order to accept a Magistrate Judge's R&R where no timely objection has been made, the "court need only satisfy itself that there is no clear error on the face of the record." Urena v. New York, 160 F. Supp.2d 606, 609-10 (S.D.N.Y. 2001) (quoting Nelson v. Smith, 618 F. Supp. 1186, 1189 (S.D.N.Y. 1985)); see also Pizarro v. Bartlett, 776 F. Supp. 815, 817 (S.D.N.Y. 1991) (court may accept report if it is "not facially erroneous").

The R&R is comprehensive and well-reasoned. The court finds no clear error in the R&R and therefore adopts the R&R for the reasons stated therein. Plaintiff's motion for damages and disbursements is hereby GRANTED as detailed above.

SO ORDERED.

Dated: January 18, 2008
Brooklyn, N.Y.

/signed/

NICHOLAS G. GARAUFIS
United States District Judge